

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

OHIO VALLEY ENVIRONMENTAL COALITION, INC. and
WEST VIRGINIA HIGHLANDS CONSERVANCY, INC. and
SIERRA CLUB and
COAL RIVER MOUNTAIN WATCH, INC.,

Plaintiffs,

v.

Civil Action No. 2:12-6689

UNITED STATES ARMY CORPS OF ENGINEERS and
THOMAS P. BOSTICK, Commander and Chief of Engineers,
U. S. Army Corps of Engineers, and
STEVEN MCGUGAN, Colonel, District Engineer,
U. S. Army Corps of Engineers, Huntington District,

Defendants

and

RAVEN CREST CONTRACTING, LLC,

Intervenor Defendant.

MEMORANDUM OPINION AND ORDER

Pending are a Motion for Partial Summary Judgment
(Water Quality Claims) filed on August 16, 2013, by defendants
Bostick, McGugan, and the United States Army Corps of Engineers,
and a Motion for Partial Summary Judgment (Water Quality Claims)
filed on the same date by intervenor defendant Raven Crest
Contracting.

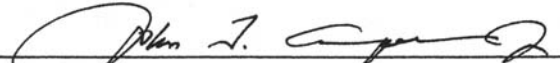
On September 12, 2013, the parties in this case

stipulated to the dismissal with prejudice of the Water Quality Claims. Therefore the defendants' motions with respect to the Water Quality Claims are moot.

Accordingly, it is ORDERED that the Motion for Partial Summary Judgment (Water Quality Claims) filed on August 16, 2013, by defendants Bostick, McGugan, and the United States Army Corps of Engineers be, and it hereby is, DENIED as moot. It is further ORDERED that Motion for Partial Summary Judgment (Water Quality Claims) filed on August 16, 2013 by intervenor defendant Raven Crest Contracting be, and it hereby is, DENIED as moot.

The Clerk is directed to transmit copies of this order to all counsel of record and any unrepresented parties.

ENTER: March 31, 2014


John T. Copenhaver, Jr.
United States District Judge